
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

TRACY EUGENE SMITH,
Petitioner,

v.

SCOTT CROWTHER et al.,
Respondents.

**MEMORANDUM DECISION &
DISMISSAL ORDER**

Case No. 2:16-CV-1040-DAK

District Judge Dale A. Kimball

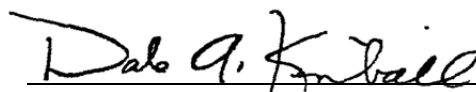
Petitioner, Tracy Eugene Smith, filed a habeas-corpus petition. He now moves for dismissal.

Federal Rule of Civil Procedure 41(a)(2) allows the Court to dismiss a case "at the [petitioner's] request." The Court has carefully reviewed Petitioner's motion and other materials on the docket, including Respondents' Motion to Dismiss. Petitioner appears to concede that his petition is barred by the applicable period of limitation. *See* 28 U.S.C.S. § 2244(d) (2018).

Good cause appearing, IT IS HEREBY ORDERED that Petitioner's motion to withdraw his petition is GRANTED. (*See* Docket Entry # 19.) The action is DISMISSED WITH PREJUDICE.

DATED this 17th day of January, 2018.

BY THE COURT:



JUDGE DALE A. KIMBALL
United States District Court